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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/748,102 12/22/00 BELL

S 98RE017A

EXAMINER

MMC2/0509

ROCKWELL AUTOMATION
1201 SOUTH SECOND STREET, DEPT. 704P
MILWAUKEE WI 53204

TAMAI, K
ART UNIT PAPER NUMBER

2834
DATE MAILED:

05/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/748,102

Applicant(s)

BELL, SIDNEY

Examiner

Tamai IE Karl

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

1. The information disclosure statement filed 12/22/2000 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. The references initialed have been considered, but the British reference has not been considered because no copy of the references was provided, nor was a copy found in the parent application.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC ' 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Emery et al.(Emery). Emery teaches an electromagnetic machine with a fixed stator with winding 1, in slots 9 of the stator assembly 11. It is inherent that the coils includes coil heads

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on opposite ends of the core with a rotor radially inward of the stator. Emery teaches the coils 3 in contact with the stator with a conductive paint layer 29 and a cured insulating resin layer 28 in the slots of a predetermined thickness.

Claim Rejections - 35 USC ' 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-5, 9, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery, in further view of Erdman et al.(Erdman). Emery teaches every aspect of the invention except the metallic paint being copper, the machine being a motor so that a flux is induced in the rotor by the stator windings, and the ground wall(paint) being grounded through the stator. Erdman teaches the electrostatic shield is copper. Erdman teaches the electrostatic shield can be grounded through the stator. It would have been obvious to a person skilled in the art at the time of the invention to construct the machine Emery with the conductive layer being a copper, metallic paint because Erdman teaches that copper is a good material for an electrostatic shield between the rotor and the stator, and to have the electrostatic shield of Emery used in a motor because Erdman teaches the use of electrostatic shields on the stator windings of a motor reduces capacitive couplings between the stator and the rotor.

7. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery and Erdman, in further view of Andrus(US 2,573,126). Emery and Erdman teach every aspect of the invention except an inner protective layer on the inner surface of the conductor. Andrus teaches an inner layer on the stator allows the machine to be used in oil or water. It would have been obvious to a person skilled in the art at the time of the invention to construct the machine of Emery and Erdman with a protective layer on the inner surface of the stator to allow the machine to operate in oil or water, as taught by Andrus.

8. Claims 7, 8, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery, in further view of Cope et al.(Cope). Emery teaches every aspect of the resin being glass filled and the cured resin substantially impregnates the conductive windings. Cope teaches that a cured, thermosetting epoxy resin are used to substantially, impregnate glass tape to insulate stator coils. Cope teaches the stator coils and end turns(see figure 5) impregnated in a resin. It would have been obvious to a person skilled in the art at the time of the invention to construct the motor of Emery with the windings impregnated in a glass filled thermosetting resin because Cope teaches the windings impregnated by a glass filled resin help reduce thermal and environmental stress on the machine.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Emery and Cope et al.(Cope). Emery and Cope teach every aspect of the predetermined thickness of the insulative layer is at least 0.012 inches. It would have been obvious to a person skilled in the art at the time of the invention to construct the motor of Emery and Cope with the predetermined thickness of the insulative layer is at least 0.012 inches to provide sufficient insulation between the winding and the ground shield and because It has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. (see *In re Aller*, 105 USPQ 233).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703)308-1371. The facsimile number for the Group is (703)305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist at (703) 308-0956.



Karl I Tamai
PRIMARY PATENT EXAMINER
May 4, 2001

Karl Tamai
Patent Examiner
Technology Center 2800